

APPROVED

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Tuesday, May 7, 2002 Rockville, Md.

The County Council for Montgomery County, Maryland convened in the Council Hearing Room, Stella B. Werner Council Office Building, Rockville, Maryland, at 9:05 A.M. on Tuesday, May 7, 2002.

PRESENT

Steven A. Silverman, President	Derick P. Berlage, Vice President
Phil Andrews	Blair G. Ewing
Nancy H. Dacek	Isiah Leggett
Howard A. Denis	Marilyn J. Praisner
Michael L. Subin	

The President in the Chair.

Reverend Douglas Jones, Epiphany Lutheran Church, Silver Spring, gave the invocation.

SUBJECT: Presentation of the Margaret Cutler Intergenerational Leadership Award

President Silverman introduced Mr. Heyman, Interages Founder, and Ms. Lessenco, Interages Board Member, who presented Mr. Short, Director, Health and Human Services a silver platter for his years of outstanding leadership and developing, implementing and supporting intergenerational programs in Montgomery County.

SUBJECT: Agenda and Calendar Changes

Legislative Analyst Lauer directed attention to the addendum to the agenda, adding to the consent calendar the introduction of a resolution to create the Pedestrian Safety Advisory Committee; continuing the public hearing on an amendment to the Master Plan for Historic Preservation for Olney-Sandy Spring-Goshen Area Historic Resources from 7:30 p.m. this evening to May 14 at 1:30 p.m.; and announcing that the public hearing on the Ceiling Element of the FY 03 Annual Growth Policy will be held on June 4, 2002 at 1:30 p.m.

SUBJECT: Approval of Minutes

ACTION: Approved the minutes of April 23, 2002, as amended.

Councilmember Ewing made the motion. Councilmembers Subin, Praisner, Berlage, and Leggett were temporarily absent.

SUBJECT: Acknowledgement of Receipt of Petitions

ACTION: Acknowledged petitions from the parents of Weller Road Elementary School students supporting the allocation of additional funds to the elementary school modernization schedule during the budget reconciliation process; from the residents of Montgomery County supporting full funding of the three existing Parenting Resource Centers; and from Derwood Noise Abatement Coalition supporting noise mitigation funding.

SUBJECT: Consent Calendar

Referring to the introduction of resolutions to establish four Agricultural Districts, Councilmember Dacek said that three of the petitions are for the farms owned by Mr. Rubin who is an outstanding citizen and interested in the preservation of our agricultural areas. She said that he rents the houses on these properties to tenants who will farm the land and he is also interested in the horse industry that will be discussed later in the day. Ms. Dacek also spoke in support of the petition from Mr. Suddath to establish a State Agricultural District.

ACTION: Adopted the consent calendar:

Introduced a resolution to approve the Washington Suburban Sanitary Commission System Development Charge for FY 03;

Introduced a resolution to approve a special appropriation to the FY 02 Capital Budget and the FY 01-06 Capital Improvements Program (CIP) of the Maryland-National Capital Park and Planning Commission (M-NCPPC), for the Bonifant Road Landfill Closure, in the amount of \$1,151,000;

Introduced a resolution to amend FY 02 Capital Budget and the FY 01-06 CIP of M-NCPPC, to implement transfers for Sligo Creek Golf Course, Northwest Branch Golf Course, South Germantown Recreational Park, Wheaton Ice Rink, Fairland Gunpowder Golf Center and Northwest Branch Golf Course to Enterprise Facilities;

Resolution 14-1235, approving amendments to Resolution 14-889, Section G, the FY 02 Designation of Entities for Non-Competitive Award Status;

Introduced a resolution recommending that the Maryland Agricultural Land Preservation Foundation approve the petition to establish a State Agricultural District on the farm owned and operated by Howard F. Suddath;

Introduced a resolution recommending that the Maryland Agricultural Land Preservation Foundation approve the petition to establish State Agricultural Districts on MDR Friendly Acres L.L.C., MDR Friends Advice L.L.C., and MDR Friends Ahoy L.L.C., which are farms owned and operated by Michael Rubin Managing Partner;

Introduced a resolution to approve a special appropriation to the FY 02 Operating Budget of the Montgomery County Government Independent Audit Nondepartmental Account, in the amount of \$73,000, to fund the work that KPMG will complete during May and June of FY 02;

Introduced a resolution to create the Pedestrian Safety Advisory Committee.

Councilmember Dacek made the motion. Councilmembers Subin, Praisner, Berlage, and Leggett were temporarily absent.

SUBJECT: Legislative Session

See the legislative journal for the minutes of the legislative session.

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE BOARD OF HEALTH**

SUBJECT: Board of Health Report

Dr. Garvey, County Health Officer, provided a PowerPoint presentation on health planning priorities, including the progress that is being made in the areas of access to care, elimination of disparities, and environmental safety. Ms. Frank, Chief, Public Health Services, provided an update on the specific activities and associated costs of the Bioterrorism Response Team.

Referring to a hypothetical situation about an outbreak of small pox, Councilmember Dacek requested and received information from Dr. Garvey on the County's plan for dispensing the small pox vaccine. Dr. Garvey provided background information on the current Center for Disease Control plan that recommends against universal vaccination but rather recommends a "ring vaccination" in which the first individuals exposed to the small pox and their household contacts would be immunized. Dr. Garvey said that this is an evolving issue but, at the present time, that is the official plan. She said that there were several articles in the New England Journal of Medicine a few weeks ago that indicated it would be better to have all first responders vaccinated before an event occurs. With respect to Councilmember Dacek's questions about what would occur if there was a major outbreak, Ms. Frank provided a brief report on the plan that is currently in place. Ms. Frank said that the procedural agreements are in place with the schools, including the number of nurses, pharmacists, and medical volunteers that would be needed and the amount of time required to immunize the population.

Councilmember Ewing requested and received information from Dr. Garvey about the increased number of low-income children enrolled in health care coverage programs. Dr. Garvey said the increased numbers means that coverage has been required for the child, the child has been connected to a medical facility, and the normal preventative services are provided, but it does not necessarily mean the parents bring the child in for every appointment. With respect to Mr. Ewing's questions related to pharmaceutical access, Dr. Garvey said that the Primary Care Coalition is currently taking a number of different simultaneous approaches but there is only partial access to pharmaceuticals. She said that some of the County funding is used for Mobile Med which encourages the use of generic medications and purchases medications that are prescribed most often. In response to Councilmember Ewing's question about what would be required to provide data on Asian Americans, Dr. Garvey said that the Asian Americans do well on the health indicators, but there is an aggressive outreach effort to the older Asian Americans to participate in the cancer-screening program. Councilmember Ewing requested that in the future, data on Asian Americans be included on the charts.

Councilmember Denis expressed appreciation to Dr. Garvey and Ms. Frank for their participation in emergency planning, and acknowledged the participation of Ms. Frank in a news conference on regional health issues that was held by Congresswoman Morella. He referred to an article in the New York Times about the effect of September 11 attack on young children. Mr. Denis said that the study concluded some children have serious mental health issues as a result of the terrorist attacks, and that some of the children were reacting by having nightmares and drawing frightful pictures, while others had even more serious problems and were showing no reaction at all to the situation. Councilmember Denis expressed the view that this issue is an important one that should be tracked. With respect to the potential for bioterrorism attacks, he stressed the importance of being in a constant state of alert and having a sense of mission. Mr. Denis spoke about the issue of chemical weapons testing, noting that this issue first came to his attention last year when Congresswoman Morella addressed citizens concerns about the

possibility of soil contamination in the Spring Valley neighborhood of the District of Columbia which was formerly used as a defense site. He said at that time, he wrote a letter to Dr. Garvey and Mr. Caldwell, Director, Department of Environmental Protection, expressing concern that this area is on the border of Montgomery County. Councilmember Denis said that he was surprised that the local officials were not involved "in the loop" and urged Dr. Garvey to continue to monitor the situation and to make sure the community is notified of any events.

Dr. Garvey said that it has been a challenge to get information regarding the soil contamination issue in the Spring Valley neighborhood, but it is being monitored and the Council will be kept informed of the situation.

Councilmember Andrews expressed appreciation to Dr. Garvey and Ms. Frank for their good work. He said that he agrees with Ms. Frank that terrorism creates fear and panic which is why it is so important to have in place the plans and services on how to respond. Mr. Andrews said that the anthrax attack was a prime example of that situation.

President Silverman expressed appreciation to Dr. Garvey and Ms. Frank for their work and their continuing involvement in the public health of the County residents.

The Vice President in the Chair.

SUBJECT: FY 03 Operating Budget for the Department of Economic Development

The Committee had before it the memorandum and attachments from Legislation Analyst Ferber, dated May 2, 2002.

Councilmember Berlage presented the report of the Planning, Housing, and Economic Development (PHED) Committee.

Mr. Edgerley, Director, Department of Economic Development (DED), commented on the work that has been accomplished successfully during the past year by DED, and discussed the proposal to establish an Intellectual Property Center that would address issues pertaining to the protection, usage, and ethical and societal impact of intellectual property. Mr. Edgerley said that the concept of the Intellectual Property Center is the result of a study conducted by the University of Maryland. He said that the report prepared by the University of Maryland proposed the Intellectual Property Center as a statewide concept.

Councilmember Praisner requested a copy of the report prepared by the University of Maryland concerning the concept of an Intellectual Property Center.

In response to Councilmember Praisner's questions, Mr. Edgerley explained plans to evaluate the Intellectual Property Center with the assistance of an advisory board that will be established. Mr. Edgerley said that he believes the State intends to continue to support this effort in the future.

Mr. Edgerley discussed the rationale for eliminating the Small Business Development Center (SBDC) grant funds in accordance with the information contained on page 7 of the Council Staff memorandum. He noted the assistance to small businesses that will be available from the University of Maryland, as well as from the County's Business Resource Center.

Councilmember Dacek asked about the effect of eliminating the SBDC grant funds on the assistance provided to small business owners in the County, recalling past tours of Damascus at which representatives of DED would speak to small business owners. Mr. Edgerley stated that DED Staff will continue to provide this service.

Councilmember Ewing expressed concern that the assistance to small business owners will be diminished by the proposed change and indicate a lack of commitment to small businesses. He said that he does not agree with the proposed reductions to the SBDC program.

In discussing the Bankers' Loan Fund, Mr. Edgerley stated that information provided in the Council's packet that indicated a loan activity amount of \$5 million was incorrect. In response to concerns expressed by Councilmember Ewing, Mr. Edgerley assured him that the SBDC program would continue to exist in the County and would continue to provide service to small business owners.

Councilmember Dacek discussed the importance of the Equine program to the horse industry in the County, and noted the importance of the Equine Outreach Specialist position which has not been filled because of the County's "freeze" on the filling of new positions. Ms. Dacek urged DED to focus on filling the position, after the six-month delay resulting from increased lapse of .05 workyear, because of the importance of the position to the agricultural community.

Councilmember Praisner suggested filling the Equine Outreach Specialist position under a contractual arrangement, since it has proven difficult to hire a merit system employee for the position. Mr. Edgerley agreed that this would be a feasible option, but requested the flexibility to use the funds for either a merit system or contractual position.

ACTION: Agreed that the Equine Outreach Specialist position could be filled by a merit system or contractual position.

Councilmember Dacek commented on the use of a portion of the \$6,710 for the Close Encounters Program that is one of the programs operated by the Cooperative Extension Service. She noted that the funds have been placed on the reconciliation list, and expressed the hope that the Council will fund the Program.

The Council reviewed the information contained on page 11 of the Council Staff memorandum concerning the Committee's recommendation to place the restoration of the following items on the reconciliation list: \$14,470 for Montgomery Youth works; \$9,220 for Montgomery Life Alliance, and \$111,200 for One-Stop Shops (in two parts of \$55,600 each). Councilmember Berlage provided additional information concerning these items, and Mr. Edgerley provided background information. Councilmember Praisner commented on the possibility of Federal reductions in funding that might affect these programs, as well as summer youth initiatives. She noted the need to monitor this carefully and if this becomes a reality, to ask Mr. Bialek, Director, Department of Intergovernmental Relations, to bring this to the attention of the Congressional Delegation. On a related issue, Councilmember Praisner stated that funds had been placed on the reconciliation list in two components for programs operated by the Montgomery Work Life Alliance. She said the \$20,000 that is listed on line 304 of the reconciliation list is for the Telework Tool Kit Program that has received State recognition. Ms. Praisner said that she believes it would be unfortunate if the Council were unable to fund the continuation and expansion of the Telework Tool Kit Program. She requested that both amounts that were placed on the reconciliation list for the Montgomery Work Life Alliance be funded.

ACTION: Approved the FY 03 Operating Budget for the DED.

The PHED Committee made the motion.

SUBJECT: FY 03 Operating Budget for the Economic Development Fund

The Council had before it the memorandum and attachments from Ms. Ferber, dated May 2, 2002.

Councilmember Berlage presented the PHED Committee report.

ACTION: Approved the FY 03 Operating Budget for the Economic Development Fund for \$495,000, and placed the target reduction of \$5,000 as a non-recommended reduction on the reconciliation list.

The PHED Committee made the motion.

SUBJECT: FY 03 Operating Budget for the Conference Center Nondepartmental Account

The Council had before it the memorandum and attachments from Ms. Ferber, dated May 2, 2002.

Councilmember Berlage presented the PHED Committee report.

ACTION: Approved the FY 03 Operating Budget for the Conference Center Nondepartmental Account for \$200,000.

The PHED Committee made the motion.

SUBJECT: **FY 03 Operating Budget for the Conference and Visitor's Bureau Nondepartmental Account**

The Council had before it the memorandum and attachments from Ms. Ferber, dated May 2, 2002

Councilmember Berlage presented the PHED Committee report.

ACTION: Approved the FY 03 Operating Budget for the Conference and Visitor's Bureau Non-departmental Account for \$435,750.

The PHED Committee made the motion.

SUBJECT: **FY 03 Operating Budget for the FY 03-08 Capital Improvements Program: Silver Spring Civic Building Project; and Budget Adjustments for Silver Spring Redevelopment Program, and Silver Spring Civic Building Projects**

The Council had before it the memorandum and attachments from Ms. Ferber, dated May 2, 2002

Councilmember Berlage presented the PHED Committee report.

Discussion was held concerning the major elements of the civic building, including the attempt being made to design some elements of the building to replace facilities previously located in the Silver Spring Armory.

Mr. Stith, Director, Silver Spring Regional Services Center, responded to Councilmembers' questions regarding the size and use of "The Great Hall" being provided in the civic building to replace the former "Drill Hall"; the size of the civic building as compared to the Armory; and the proposed uses for the civic building.

Councilmember Praisner commented on the need to consider the facade of the building and its relationship to downtown Silver Spring. She emphasized that the entrance to the building should be attractive, blend in with the surrounding community, appear open, and be easily accessed.

Councilmember Praisner reiterated a request she made previously for a list that identifies both the workforce and the location of the workforce in the Silver Spring area. She said that she is concerned about dispersing personnel efficiently.

ACTION: Agreed in concept with the Program of Requirements (POR) for the Silver Spring Civic Building and with the Silver Spring Civic Building Steering Committee's recommendations for priorities for adjustments to the Civic Building POR should the construction cost exceed the \$9.4 million budget.

Approved the County Executive's CIP budget adjustments to the Silver Spring Civic Building Project and the Silver Spring Redevelopment Program Project.

The PHED Committee made the motion. Councilmembers Dacek and Silverman were temporarily absent.

Councilmember Subin in the Chair.

SUBJECT: FY 03 Operating Budget for Montgomery College

The Council had before it the memorandum and attachments from Legislative Analyst Sherer, dated May 2, 2002.

Dr. Nichols, Chair, Board of Trustees of Montgomery College, expressed appreciation for being provided the opportunity to discuss the funding needs of the College. He said that the enrollment of the College is increasing and the students are younger and more diverse requiring more services to be provided. Dr. Nichols said that the Board of Trustees has increased tuition costs in an attempt to respond to reductions in State aid to the College, but the revenue received from this increase is not sufficient to address the problem. He explained the need for additional funds, stating that without them the Board will have to consider serious reductions in programs and services. He requested that the Council support the Committee's recommendations.

Dr. Nunley, President, Montgomery College, stated that an attempt was made to put together a fiscally responsible budget, and a budget was submitted that requested the same dollars per Full Time Equivalent (FTE) student as approved in the FY 02 appropriation. She commented on the loss of anticipated funding from the State, as well as the change in the

formula for funding community colleges. She said that the Board of Trustees responded to these losses by increasing the tuition rate an additional \$3; a \$2 increase had already been presumed. She said that the increase in tuition narrowed the \$4.1 million gap by about \$1.7 million. Dr. Nunley said that the College still needs the Council's help, and that she strongly supports the Committee's recommendation.

Councilmember Praisner suggested that the Council should take the lead in ensuring adequate State funding for community colleges. In that regard, Ms Praisner said, with the help of Dr. Nunley and Ms. Maden, Montgomery College Staff, she has submitted a proposal to the Maryland Association of Counties (MACo), requesting that MACo focus its legislative initiative for the coming year on the funding needs of both the capital and operating budgets for community colleges. Ms Praisner said she is uncertain whether MACo will select the community college initiative since MACo is limited to only four legislative initiatives. She said that she has invited Dr. Nunley and representatives from the community colleges to the MACo summer conference so they will have the opportunity to discuss community college issues with MACo representatives. Ms. Praisner suggested that the community college initiative be presented as a statewide initiative.

Councilmember Subin, in presenting the Committee report, commented on the increased student enrollment at Montgomery College, the loss of State aid, the effect of this loss in the future because of changes made to the funding formula for community colleges, the adjustments that the College has to make to address the needs of a greater number of full-time students, the technology needs at the College, and his hope that MACo will select community colleges as one of its legislative initiatives next year.

The President in the Chair.

ACTION: Approved the FY 03 Operating Budget for Montgomery College.

The Education Committee made the motion. Councilmembers Praisner and Dacek were temporarily absent.

SUBJECT: Proposal to Fund Adult English for Speakers of Other Languages (ESOL)/Literacy Program

Councilmember Subin stated that Council Staff has recommended placing on the reconciliation list \$50,000 for an ESOL/Literacy Program that would involve an analysis of the extent of the need and where the Program would be housed.

Councilmember Ewing stated that this proposal is endorsed by Councilmembers, the Montgomery County Public Schools, Montgomery College, the United Way, the Literacy Council, and the Business Round Table on Education.

ACTION: Approved placing \$50,000 on the reconciliation list for an ESOL/Literacy Program. Councilmembers Praisner and Dacek were temporarily absent.

SUBJECT: County Executive's Budget Adjustments to the FY 03-08 Capital Improvements Program (CIP) of Montgomery College

The Council had before it the memorandum and attachments from Legislative Analyst Sherer, dated May 1, 2002, containing background information and the Committee's recommendations on adjustments to the Takoma Park Expansion project (#996662) and the Information Technology: College project (#856509).

Councilmember Subin presented the Education Committee report.

Councilmember Andrews stated that he strongly agrees with the Education Committee's recommendations, and commended the College for the good work that it does, including providing an outstanding education to a growing number of County residents. He said that the College also provides direct and indirect benefits to the community through a variety of programs, noting that he recently had the opportunity to attend an interesting program at the College on Genetic Discrimination.

ACTION: Approved the budget adjustments to the FY 03-08 CIP of Montgomery College. Councilmembers Dacek and Praisner were temporarily absent.

The Council recessed at 11:35 A.M. and reconvened at 1:33 P.M. in the Council Hearing Room.

SUBJECT: Public Hearing/Action on a Supplemental Appropriation to the FY 02 Operating Budget of the Department of Housing and Community Affairs, for a Technology Center in Wheaton for Small Business Owners, in the Amount of \$249,450

The public hearing was conducted.

ACTION: Adopted Resolution 14-1236, approving the subject supplemental appropriation.

Councilmember Berlage made the motion. Councilmembers Leggett, Praisner and Subin were temporarily absent.

SUBJECT: Public Hearing/Action on a Special Appropriation to the FY 02 Operating Budget of the Maryland-National Capital Park and Planning Commission, for the Sligo Creek Parkway Speed Management Plan Implementation, in the Amount of \$150,000

The public hearing was conducted.

ACTION: Adopted Resolution 14-1237, approving the subject special appropriation.

The PHED Committee made the motion.

SUBJECT: FY 03 Operating Budget: Department of Public Works and Transportation (DPWT): Fleet Management Services and Motor Pool Fund Contribution Nondepartmental Account (NDA)

The Council had before it the memorandum and attachments from Legislative Analyst Healy, dated May 3, 2002.

The Council received opening remarks from Mr. Genetti, Director, DPWT, and Ms. Subadan, Chief, Division of Fleet Management Services, on the six-year impact of replacement collections (included on page © 6 of the packet), and on the direction given to the Division to try maintain approximately a one-year replacement cash balance.

Councilmember Leggett, in agreeing with Ms. Subadan, expressed concern about delays in vehicle replacement. He noted that the Council stated last year that it would be necessary to move more aggressively in terms of fleet replacement starting this year to make up the deficit, and that it is still possible to begin to meet this objective if funding for this purpose is included in the budget.

Councilmember Dacek expressed concern that funding for fleet replacement will be reduced again this year, noting that \$1.5 million was eliminated from this NDA last year by the Council at the last minute.

ACTION: Agreed to place two increments of \$250,000 on the reconciliation list for the Fleet Management Services and Motor Pool Fund Contribution NDA.

Councilmembers Subin, Berlage, and Silverman were temporarily absent.

SUBJECT: FY 03-08 Capital Improvements Program (CIP): Compressed Natural Gas (CNG) Fueling Station

The Council had before it the memorandum and attachments from Legislative Analyst Healy and Deputy Council Director Orlin, dated May 3, 2002, and an addendum memorandum dated May 6, 2002.

The Council discussed with representatives from DPWT the current operations, maintenance, costs, environmental issues, and possible alternatives to CNG buses, and noted that alternative fuel technologies will be available for buses in the future. Mr. Genetti commented that the Department is not advocating a 100% CNG fleet, and that the County is obligated to reduce NOx emissions (nitrogen oxide) by 3.045 tons per day; and that State aid is anticipated. Councilmember Leggett commented that the fleet will remain predominantly diesel even if this proposal is accepted. With regard to the anticipated State aid, Councilmember Leggett said it is appropriate to wait to make a decision until State funds have been appropriated. Mr. Orlin suggested that if the State provides grant funds, the CIP can be amended at that time to incorporate the new source of funds. Councilmember Dacek stated that the Governor indicated the State was prepared to pay for a share of the costs associated with reducing NOx emissions.

Councilmember Andrews said the Department presented a good case for the need for the fast-fill CNG station, and that the Council needs to consider this issue in a broad way. He said he understands the Committee recommendation to approve the slow-fill station. He suggested that this item be deferred until it is determined what funding, if any, will be provided by the State. Councilmember Praisner questioned the ongoing implications of making a decision now on the types of buses to purchase, and that although the Council's budget cycle dictates that decisions must be made, it may not be the appropriate time to resolve this issue.

Councilmember Berlage said the question to consider is whether upcoming new technologies might serve the County better than those being considered today, and that he would spend as little as possible now to be able to make a major investment at a later date.

ACTION: Agreed to defer this item until the end of the budget process.
Councilmember Subin was temporarily absent.

SUBJECT: FY 03 Operating Budget DPWT: Mass Transit, Parking Lot District, and General Funds Operating Budget, Homeowner Association Roads Reimbursement NDA; Community Grants NDA (Olney Boys and Girls Club); FY 03-08 CIP, DPWT: Parking Lot District Project and Other Projects

The Council had before it the memorandum and attachments from Mr. Orlin, dated May 3, 2002.

Mr. Orlin presented the recommendations of the Transportation and Environment (T&E) Committee.

The Council discussed bus service, and Councilmember Dacek expressed the view that the Poolesville route should not be eliminated because the Council made a commitment to serve that area. Ms. Dacek also commented that the Urbana Park and Ride is an important stop, and expressed the hope that the Germantown transportation center will encourage bus ridership. Regarding the possibility of a "meet the MARC " bus route in Garrett Park, Mr. Genetti said that Garrett Park opposed any bus service but that he would contact the Mayor of Garrett Park to encourage support for a bus route. In response to Ms. Dacek's observation that the Germantown MARC station free Ride-On bus is underutilized, DPWT Staff responded that this route is funded by the MARC service.

Councilmember Denis expressed appreciation to the Committee for its support of the Central Business District (CBD) Shuttles.

Councilmember Ewing said that bus riders want comfort, convenience, and frequency of service, particularly during rush hours. He made a motion, duly seconded, to include \$1,500,000 on the reconciliation list in three increments of \$500,000, for additional peak period service on existing bus routes, to begin in January, 2003.

ACTION: Agreed to add three increments of \$500,000 to the reconciliation list for additional peak period bus service on existing bus routes.

Speaking in reference to the "Free Wheeling Days" promotion, Councilmember Silverman expressed interest in extending the promotion to other parts of the County, as was discussed last year if the initial promotion proved successful. He made a motion, duly seconded, to include two increments of \$250,000 to extend the "Free Wheeling Days" promotion to more routes on the reconciliation list. After receiving additional information from DPWT Staff later in the meeting that the promotion will stop on June 30 for the Interstate 270 route because funding was not included in the County Executive's budget, Mr. Silverman withdrew his motion. Councilmember Silverman requested DPWT to provide funding options for this promotion for time periods of three, six, and nine months. Councilmember Leggett said that other options regarding the restructuring of fares and the amount of the subsidy need to be considered.

Councilmember Praisner made a motion, duly seconded, to add \$50,000 to the reconciliation list to extend the "Kids Ride Free" program to Metrobus. She said that comments were received from young people that they need more access to public transportation, and that she wrote to the Washington Metropolitan Area Transportation Authority (WMATA) requesting that this program be extended, but did not receive a response. Ms. Praisner said it needs to be clear that it is not known how much this program will cost. She suggested this be implemented

in the eastern part of the County where there are fewer Ride On buses, but, she expressed the hope that, eventually, this program will be available on Metrobuses throughout the County. Councilmember Berlage said that encouraging young people to use public transportation is a good idea with the hope that they will continue to use transit when they are older.

ACTION: Agreed to place \$50,000 to extend the "Kids Ride Free" Metrobus program.

Agreed to place four increments of \$300,000 each for the Fare Share/Super Fare Share program on the reconciliation list.

The Council considered the issue of advertising on County buses and shelters and the amount of revenue that it would generate. Councilmember Leggett said that further discussion is needed before any level of revenue is assumed from bus advertising. Councilmember Praisner commented that she does not want to be recorded in support of the Committee recommendation to assume \$500,000 in advertising revenue because there are legal considerations that need to be resolved.

Regarding the Call-n-Ride program, Councilmember Praisner said there is confusion among citizens because departmental responsibility for the program is not designated, and expressed hope that the T&E and the Health and Human Services (HHS) Committees would continue to address the need for a "one stop shop" for transportation programs, particularly for seniors.

Councilmember Berlage spoke in support of increasing parking rates in North Bethesda to 40¢/hour and to \$75 for a monthly pass. He said that this increase would generate additional revenue, and is justified. He made a motion, duly seconded, to raise the long-term parking rate to 40¢/hour and to increase the monthly pass to \$75.

Councilmember Leggett expressed the view that the rate increase is substantial, and that he and Councilmember Ewing recommended increasing the cost of the monthly parking pass in two steps: to \$55 in FY 03 and then to \$65 in FY 04; and to increase the long-term parking rate from 25¢/hour to 35¢/hour for FY 03. Councilmember Berlage noted that parking rates in Silver Spring are either the same or higher.

Councilmember Praisner expressed support for the motion because the Council has been a strong advocate of the North Bethesda Transportation Management District (TMD).

ACTION: Agreed to increase the long-term and monthly parking rates in North Bethesda to 40¢ per hour and the monthly pass to \$75:

YEAS: Andrews, Dacek, Praisner, Berlage, Silverman
NAYS: Subin, Denis, Leggett, Ewing.

Agreed (as part of the \$1.2 million above) to show a \$350,000 transfer from the Bethesda Parking District to the Mass Transit Fund, to fund Bethesda's Fare Share and Super Fare Share programs. (The second piece would be \$250,000.)

Speaking in reference to the General Fund-Transportation recommendation that would delete the Chief of Design position, Councilmember Dacek cautioned that the elimination of this position would result in slower implementation rates for new roads. Councilmember Praisner said she shares Ms. Dacek's concern regarding this position. Ms. Dacek expressed appreciation to the Division of Highway Services for the good job being done on cleaning up rural and rustic roads.

Regarding Graffiti Abatement Partners, Inc. (GRAB), Councilmember Praisner commented that when GRAB was created, the assumption was that the agencies would contribute to GRAB, to work more collectively to fund activities that would have been done within individual departments. She expressed concern that the impression is left that the Council is asked to subsidize GRAB. Ms. Praisner said that graffiti is becoming an increasing problem in the County, and expressed the hope that in the future, GRAB will not have to ask for funding and that agencies will make contributions to this effort as was originally intended.

Councilmember Dacek expressed concern that most of the funding for street/sidewalk services was spent in the Silver Spring area, because many other communities and subregional centers have expressed concern about receiving these services. She said that either more funding needs to be appropriated to provide services to other areas in the County or steps need to be taken to ensure that areas other than Silver Spring receive service within budget limits. Ms. Dacek made a motion, duly seconded to include two increments of \$56,000 on the reconciliation list to provide additional street/sidewalk services to other areas. Councilmember Praisner said she supports Ms. Dacek's motion and staff's recommendation that a way to monitor services provided be developed to address this as a separate item in the budget, and that it would be useful to have an accounting of what centers meet the established criteria and what services the County is planning to deliver in town center areas. She said there was considerable interest in the Germantown area, and that she believes services should be provided there, especially as the Germantown Town Center is being developed.

ACTION: Agreed to add two increments of \$56,000 to the reconciliation list for street/sidewalk services.

Regarding the Homeowners' Association Road Maintenance Reimbursement NDA, Mr. Orlin commented that there are 40 eligible miles, rather than 49 as included in the County Executive's budget, which would make the Committee's and County Executive's recommendation the same at \$30,910.

ACTION: Agreed to add \$30,910 to the reconciliation list for Homeowners' Association Road Maintenance Reimbursement NDA.

Councilmember Silverman commented regarding the addition of \$160,000 to the reconciliation list for the Community Grants NDA for a traffic signal at the entrance to the new Olney Boys and Girls Club, that the reason this request came so late was that it was thought the Club could obtain a line of credit for funding, but that the extension of additional credit was contingent on the provision of the traffic signal, and tied into whether they would be able to open their summer camps. Councilmember Praisner said it needs to be clear that the County is not funding traffic lights on State roads, and that the State must first agree that a traffic signal is necessary.

Regarding the FY 03-08 CIP for Parking Lot District Projects, Councilmember Leggett expressed concern about the cost of signage for the Bethesda Wayfinding project, and received information from DPWT Staff that this signage is necessary to meet design standards.

ACTION: Approved the FY 03-08 CIP: Parking Lot District projects and other projects.

SUBJECT: Legislative Session

See the legislative journal of this date for the minutes of the legislative session.

The Council recessed at 4:25 P.M. and reconvened at 4:30 P.M. in the Council Hearing Room.

SUBJECT: FY 03 Bi-County Budget Issues

The Council had before it the memorandum and attachments from Council Staff Director Farber, dated May 7, 2002.

Mr. Farber led the Council through the bi-county issues set forth on the charts attached to his memorandum involving the Washington Suburban Sanitary Commission (WSSC) and the Maryland-National Capital Park and Planning Commission (M-NCPPC). Mr. Farber suggested that issues on which the two Council's positions differ be addressed orally.

The Council expressed no objection to the joint staff recommendations set forth on the charts. It was noted that the Council will meet with the Prince George's County Council in Upper Marlboro at 3:00 p.m., on Thursday, May 9, 2002.

The Council recessed at 4:36 P.M. and reconvened at 7:30 P.M. in the Council Hearing Room.

SUBJECT: Public Hearing on an Amendment to the Master Plan for the Historic Preservation: Olney-Sandy Spring-Goshen Area Historic Resources

ACTION: The public hearing was continued to May 14, 2002 at 1:30 P.M.

The meeting adjourned at 7:45 P.M.

This is an accurate account of the meeting:

Mary A. Edgar, CMC
Clerk of the Council